

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Friday, September 25, 2009

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Callisto, Commissioner Meyer and Commissioner Azar (telephonically).

6630-GF-131 – Applications of Wisconsin Electric Power Company for Gas Risk Management Programs

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6650-GF-104 – Applications of Wisconsin Gas, LLC, for Gas Risk Management Programs

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6680-FR-102 – Fuel Rules Proceeding to Adjust Wisconsin Power and Light Company Electric Rates Originally Set in Docket 6680-UR-116

The Commission approved the Notice of Proceeding and Order Setting Rates Subject to Refund and directed it be signed by the Secretary to the Commission on behalf of the Commission.

2300-WR-105 – Application of Grafton Water and Wastewater Commission, Ozaukee County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3210-WR-102 – Application of Loyal Municipal Water Utility, Clark County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3460-WR-103 – Application of Mayville Municipal Water Utility, Dodge County, Wisconsin, for Authority to Revise its Public Fire Protection Charge Recovery Method

The Commission approved the Notice of Proceeding and Telephonic Hearing and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3720-WR-107 – Application of Milwaukee Water Works, Milwaukee County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

4490-WR-103 – Application of Osseo Municipal Water and Sewer Utility, Trempealeau County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

5-UI-115 – Investigation into the Adoption and Achievement of Increased Conservation and Energy Efficiency Goals

The Commission directed the Gas and Energy Division staff to draft a notice to open a generic docket to address the issue of a quadrennial planning process in regard to 2005 Wis. Act 141, which is a distinct and separate issue from this docket, and to draft a memorandum describing the Phase I decisions made to date.

5-UI-116 – Investigation to Develop and Analyze Alternative Electric and Natural Gas Rate Design and Load Management Options which have the Potential to Reduce Emissions of Greenhouse Gases

Nominations of Electric Demand Reductions from Wisconsin Retail Loads into the Midwest Independent Transmission System Operator Energy Market by Aggregators of Retail Customers

The Commission directed the Gas and Energy Division staff to draft an order consistent with its discussion temporarily prohibiting Aggregators of Retail Customers from operating in Wisconsin.

137-CE-156 – Application of American Transmission Company LLC to Modify the 345 kV Switchgear and add a Second 345/138 kV Transformer and Related Facilities at the Kewaunee Substation, Located in the Town of Carlton, Kewaunee County, Wisconsin

The Commission granted the request of American Transmission Company (ATC) to modify the March 12, 2009, order by rescinding Order Point 6 that conditioned the authorization on Dominion Energy Kewaunee (Dominion) obtaining Nuclear Regulatory Commission approval of the renewal of its operating license. The Commission's modified decision is based on ATC's agreement with Dominion that would obligate Dominion to compensate ATC for any costs incurred if the license renewal is not granted and implemented.

The Commission directed the Gas and Energy Division staff to prepare an order consistent with its discussion.

6690-GF-124 – Application of Wisconsin Public Service Corporation for a Gas Risk Management Program

The Commission approved, as amended, the 2009-2010 Gas Market Risk Management Plan (GRMP) filed on behalf of Wisconsin Public Service Corporation (WPSC). WPSC is to work with Commission staff to establish the reporting content for its quarterly reports. Approval of the GRMP is for only one year, through May 27, 2010.

The Commission directed the Gas and Energy Division to draft an order consistent with its discussion.

1-AC-198 – Biennial Review of Universal Service Fund

Clearinghouse Rule 06-067 Rules

The Commission discussed this rulemaking docket, emphasizing it as a lengthy process before the legislature. Three prominent issues were identified in this docket: 1) pay telephones; 2) data speed transmission; and 3) whether to open a docket to review the continued use of federal-only eligible telecommunications carriers (ETC). After discussion of these issues, the Commission requested Commission staff engage with industry to further discuss the ETC reporting requirements and then bring the rulemaking back to the Commission.

2815-TI-105 – Application of CenturyTel of the Midwest – Kendall, LLC for Approval of an Alternative Regulation Plan

The Commission denied the application filed on behalf of CenturyTel of the Midwest – Kendall, LLC, to extend its existing alternative regulation plan for two years on its current terms and conditions.

The Commission made modifications to the existing plan and approved a new plan to be effective for six years, subject to reconsideration if and when the Commission or the Federal Communications Commission (FCC) issues a decision affecting intrastate access rates.

The Commission directed the Telecommunications Division staff to draft an order approving the modified alternative regulation plan consistent with its discussion.

The Commission denied a renewed request of Verizon for a hearing on the access rates issue.

Commissioner Meyer dissented.

2930-TI-104 – Application of CenturyTel of Wisconsin, LLC, for Approval of an Alternative Regulation Plan

The Commission denied the application filed on behalf of CenturyTel of Wisconsin, LLC, to extend its existing alternative regulation plan for two years on its current terms and conditions.

The Commission made modifications to the existing plan and approved a new plan to be effective for six years, subject to reconsideration if and when the Commission or the FCC issues a decision affecting intrastate access rates.

The Commission directed the Telecommunications Division staff to draft an order approving the modified alternative regulation plan consistent with its discussion.

The Commission denied a renewed request of Verizon for a hearing on the access rates issue.

Commissioner Meyer dissented.

4260-TI-103 – Application of CenturyTel of the Midwest-Wisconsin, LLC, for Approval of an Alternative Regulation Plan

The Commission denied the application filed on behalf of CenturyTel of the Midwest-Wisconsin, LLC, to extend its existing alternative regulation plan for two years on its current terms and conditions.

The Commission made modifications to the existing plan and approved a new plan to be effective for six years, subject to reconsideration if and when the Commission or the FCC issues a decision affecting intrastate access rates.

The Commission directed the Telecommunications Division staff to draft an order approving the modified alternative regulation plan consistent with its discussion.

The Commission denied a renewed request of Verizon for a hearing on the access rates issue.

Commissioner Meyer dissented.

**7880-TI-103 – Complaint of AT&T Communications of Wisconsin, LLP, and TCG
Milwaukee, Inc. Against Northern Telephone and Data Corporation**

**Determination of Whether to Open Docket on a Complaint that Intrastate Terminating
Access Rates are Unjust and Unreasonable**

The Commission declined to open a docket to address the complaint and directed
Telecommunications Division staff to draft an order consistent with its discussion.

The Commission also directed Telecommunications staff to draft a notice to open a docket to
examine access rates on a generic basis.

The Commission adjourned the meeting at 12:40 p.m.

Sandra J. Paske
Secretary to the Commission